



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, JUNE 23, 2020 AT 10.00 A.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

8*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2020)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

(Question to be put)

9*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 15 OF 2020)

(The Leader of the Majority Party)

First Reading

10*. THE SOCIAL ASSISTANCE (REPEAL) BILL (NATIONAL
ASSEMBLY BILL NO. 16 OF 2020)

(The Leader of the Majority Party)

First Reading

11*. COMMITTEE OF THE WHOLE HOUSE

The Finance Bill (National Assembly Bill No. 10 of 2020)
(The Chairperson, Departmental Committee on Finance & National Planning)

12*. MOTION – APPROVAL OF THE MEDIATED VERSION OF THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Vice-Chairperson, Mediation Committee)

THAT, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House **adopts** the Report of the Mediation Committee on the County Governments (Amendment) Bill (Senate Bill No. 11 of 2017) *laid on the Table of the House on Wednesday, April 22, 2020*, and **approves** the Mediated Version of the County Governments (Amendment) Bill (Senate Bill No. 11 of 2017).

(The Mediated version of the Bill is appended as Notice II)

13*. MOTION – APPROVAL OF THE MEDIATED VERSION OF THE COUNTY GOVERNMENTS (AMENDMENT) (No.2) BILL (SENATE BILL NO. 7 OF 2017)

(The Vice-Chairperson, Mediation Committee)

THAT, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House **adopts** the Report of the Mediation Committee on the County Governments (Amendment) (No.2) Bill (Senate Bill No. 7 of 2017), *laid on the Table of the House on Wednesday, April 22, 2020*, and **approves** the Mediated Version of the County Governments (Amendment) (No.2) Bill (Senate Bill No. 7 of 2017).

(The Mediated version of the Bill is appended as Notice III)

14*. THE REFUGEES BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2019)

(The Leader of the Majority Party)

Second Reading

15*. THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO. 17 OF 2018)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(Resumption of debate interrupted on Tuesday, March 17, 2020)

16*. THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 27 OF 2018)

(Member, Departmental Committee on Justice & Legal Affairs)

Second Reading

17*. THE COUNTY LAW COMPLIANCE AND ENFORCEMENT BILL (SENATE BILL NO.25 OF 2018)

(Member, Departmental Committee on Justice & Legal Affairs)

Second Reading

18*. SPECIAL MOTION – APPOINTMENT OF A MEMBER TO THE PARLIAMENTARY SERVICE COMMISSION

(The Vice-Chairperson, Parliamentary Service Commission)

THAT, taking into consideration the recommendations of the Parliamentary Service Commission in its Report on the Recruitment of the Parliamentary Service Commissioner who is not a Member of Parliament, *laid on the Table of the House on Tuesday, June 16, 2020*, and pursuant to the provisions of Article 127(2) (d) of the Constitution and paragraph 4 of the First Schedule to the Parliamentary Service Act, 2019, this House **appoints the Hon. Rachel Ameso Amolo** as a Member of the Parliamentary Service Commission.

*** Denotes Orders of the Day**

...../Notices

NOTICES

I. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2020)

- 1) Notice is given that Chairperson of the Departmental Committee on Finance and National Planning, intends to move the following amendments to the Finance Bill, 2020 at the Committee Stage-

CLAUSE 1

THAT, the Bill be amended in clause 1 —

- (a) by inserting the expression “13A,” immediately after the expression “9,” in paragraph (a);
- (b) by inserting the following new paragraph immediately after paragraph (a) —
(ab) section 11 (a) (i) and (iv), 11(d), 19 (a) (i) and 12 (a) on 1st July, 2021;

CLAUSE 2

THAT, the Bill be amended by deleting the proposed clause 2 and substituting therefor the following new clause —

- “2. Section 6A of the Income Tax Act is amended in subsection (1) by deleting—
- (a) the words “one hundred and forty-four thousand shillings” and substituting therefor the words “two hundred and eighty-eight thousand shillings”; and
 - (b) the word “ten” and substituting therefor the word “fifteen”.

CLAUSE 5

THAT, the Bill be amended in clause 5 by deleting paragraph (f).

CLAUSE 8

THAT, the Bill be amended in clause 8—

- (a) by deleting paragraph (b);
- (b) by deleting paragraph (c) and substituting therefor the following new paragraph—
“(c) by deleting the both paragraphs 53;”

(c) by inserting the following new paragraph immediately after paragraph (c)

—

“(d) by inserting the following new paragraph immediately after paragraph 52—

53. Monthly pension granted to a person who is sixty-five years of age or more.”

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 9-

Amendment of
Eighth
Schedule to
Cap. 470.

9A. The Eight Schedule to the Income Tax Act is amended in paragraph 3 by deleting sub-paragraph (2) and substituting therefor the following sub-paragraph-

(2) The gain accruing to a company on any transfer of machinery classified in paragraph 1 (b) of the Second Schedule is not chargeable to tax under section 3(2) (f).

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 10-

Amendment of
section 68 of No. 35
of 2013.

10A.Section 68 of the Value Added Tax Act, 2013, is amended by inserting the following new sub-section immediately after subsection (2)—

(2A) Notwithstanding the repeal of paragraph 102 of the First Schedule, the exemption of goods imported or purchased locally for direct and exclusive use in the implementation of projects under a special operating framework arrangement with the Government, shall continue for existing projects for the remaining period of the agreement.

CLAUSE 11

THAT, the Bill be amended in clause 11 (a) by –

(a)inserting the following sub-paragraph immediately after sub-paragraph (i)–

“(ia) deleting tariff numbers 8309.90.90 and its corresponding description appearing in paragraph 39 (3)”;

(b) deleting paragraph (viii).

(c) inserting the following new paragraph immediately after paragraph (viii)–

(ix) deleting paragraph 108;

CLAUSE 12

THAT, the Bill be amended in clause 12 by inserting the following paragraph immediately after paragraph (c) –

(d) inserting the following new paragraph immediately after paragraph 19–

20. The supply of maize (corn) flour, cassava flour, wheat or meslin flour and maize flour containing cassava flour by more than ten percent in weight.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 13–

Amendment of
section 10 of
No. 23 of 2015

13A. The Excise Duty Act, 2015 is amended by deleting section 10 and substituting therefor the following new section–

Adjustment
for
inflation

10. (1) Despite section 8, the Commissioner shall, with the approval of the Cabinet Secretary, by notice in the *Gazette*, adjust the specific rate of excise duty once every year to take into account inflation in accordance with the formula specified in Part 1 of the First Schedule.

(2) The notice under subsection (1) shall be laid before the National Assembly within seven days from the date of publication.

(3) The National Assembly shall, within twenty-eight sitting days of the receipt of the notice under sub-section (2), consider the notice and make a resolution either to approve or reject the notice.

(4) The notice shall cease to have effect, if a resolution disapproving the notice is passed by the National Assembly.

CLAUSE 14

THAT, the Bill be amended by deleting clause 14 and substituting therefor the following new clause–

Amendment of the First
Schedule to No.23 of 2015.

14. The First Schedule to the Excise Duty Act, 2015 is amended -

(a) in paragraph 1 of Part 1 by-

(i) deleting the expression “10%” appearing in the description “Beer, Cider, Perry, Mead, Opaque beer and mixtures of fermented beverages with non-alcoholic and spirituous beverages of alcoholic strength not exceeding 10%” and substituting therefor the expression “6%”;

(ii) by deleting the expression “10%” appearing in the second column against the description “Spirits of undenatured ethyl alcohol; spirits beverages of alcoholic strength exceeding 10%” and substituting therefor the expression “8%”;

(b) by deleting paragraph 5 in Part 1.

CLAUSE 19

THAT, the Bill be amended in clause 19 –

(a) in paragraph (a) (iv) by deleting the words, “all goods, including materials supplies” appearing in the proposed new paragraph (xxv);

(b) in paragraph (b) (ii) by deleting the words, “all goods, including materials supplies” appearing in the proposed new paragraph (ix).

CLAUSE 22

THAT, the Bill be amended in clause 22 by –

(a) inserting the following paragraph immediately before paragraph (a)-

“(a) by inserting the following sub-section immediately after sub-section (1)-

(1A) Notwithstanding subsection (1), a private toll collector shall only levy toll and collect monies payable on a public toll road constructed under an agreement entered into under section 4A.

(b) by renumbering the existing paragraphs as (b) and (c).”

CLAUSE 30

THAT, the Bill be amended by deleting clause 30.

CLAUSE 33

THAT, the Bill be amended by deleting the proposed amendment in clause 33 and substituting therefor the following new clause-

“Section 16 of the Kenya Revenue Authority Act, 1995 is amended—

(a) in subsection (1) by deleting paragraph (a) and substituting therefor the following new paragraph—

“(a) at least two percent of the revenue actually collected by the Authority in the previous financial year;”

(b) in subsection (1) by inserting the following new paragraph immediately after paragraph (b)-

“(ba) any commission received by the Authority for collecting any revenue on behalf of a county government or government agency;”

(c) by inserting the following subsection immediately after subsection (1)-

(1A) Subject to subsection (1) (ba), the commission received by the Authority shall not exceed two percent of the total revenue collected on behalf of the county government or government agency.

CLAUSE 34

THAT, the Bill be amended in clause 34 in the proposed new section 20A (a) by deleting the words “twelve months” and substituting therefor the words “three years”.

2) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Finance Bill, 2020 at the Committee Stage-**

CLAUSE 37

THAT, clause 37 of the Bill be amended by deleting the word “registered” appearing in the proposed new item (h) and substituting therefor the word “licensed”.

3) Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Finance Bill, 2020 at the Committee Stage—

CLAUSE 21

THAT, the Bill be amended in clause 21 by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a) by deleting the definition of the term “toll collector” and substituting therefor the following new definition—

“toll collector” means a public toll collector appointed under section 4 and includes a private toll collector appointed under section 4B;

CLAUSE 25

THAT, clause 25 of the Bill be amended in the proposed new section 6A by—

- (a) inserting the words “except transit tolls” immediately after the word “tolls” appearing in subsection (2); and

- (b) inserting the following new subsection immediately after subsection (2)-

(2A) The purpose of the Fund shall be to provide funds for the —

- (a) proper functioning of toll roads and toll stations; and
(b) development, repair or maintenance of roads as the Minister may direct.

CLAUSE 26

THAT, clause 26 of the Bill be amended in the proposed amendment to section 8 by—

- (a) inserting the following new paragraph immediately before the renumbered paragraph (b) —

(a) by deleting the words “shall be guilty of an offence and liable to a fine not exceeding five thousand” appearing in the proviso to subsection (1) and substituting therefor the words “commits an offence and shall upon conviction, be liable to a fine not exceeding fifty thousand”.

- (b) renumbering the existing provision as paragraph (b).

CLAUSE 31

THAT, the Bill be amended by deleting clause 31.

- 4) Notice is given that the Leader of the Minority Party and Member for Suba South, (Hon. John Mbadi) intends to move the following amendments to the Finance Bill, 2020 at the Committee Stage—

CLAUSE 11

THAT, the Bill be amended in clause 11 by inserting the following new paragraph immediately after paragraph (iv)-

(iva) deleting paragraph 51;

CLAUSE 12

THAT, the Bill be amended in clause 12 by inserting the following new paragraph immediately after paragraph (b)-

(c) inserting the following new item immediately after item 10-

(10A) Taxable goods, imported or purchased for direct and exclusive use in the implementation of official aid funded projects upon approval by the cabinet Secretary responsible for the National Treasury.

(Amendment is subject to Article 114 of the Constitution)

- 5) Notice is given that the Member for Kikuyu (Hon. Kimani Ichung'wah) intends to move the following amendments to the Finance Bill, 2020 at the Committee Stage at the Committee Stage-

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 13 —

Amendment
of section 10
of No. 23 of
2015.

13A. Section 10 of the Excise Duty Act is amended —

(a) by deleting the words “shall, by notice in the *Gazette*, adjust the specific rate of excise duty once every year” and substituting therefor the words “may, with the approval of the Cabinet Secretary, by notice in the *Gazette*, adjust the specific rate of excise duty once every two years;”

(b) by renumbering the existing section as sub-section (1);

(c) by inserting the following new subsections immediately after the renumbered sub-section (1)—

(2) The Cabinet Secretary shall submit to the National Assembly the notice issued under sub-section (1), within seven days from the date of the publication of the notice in the *Gazette*.

(3) The National Assembly shall, within twenty-eight sitting days of receipt of the notice under subsection (2), consider the notice and make a resolution thereon to either approve or reject the notice.

(4) Where the National Assembly approves a notice, the notice shall take effect within seven days of such approval.

(5) Where the National Assembly fails to approve or rejects a notice, the notice shall not take effect.

6) **Notice is given that the Member for Gatundu South (Hon. Moses Kuria) intends to move the following amendments to the Finance Bill, 2020 at the Committee Stage—**

CLAUSE 11

THAT, the Bill be amended in clause 11 by inserting the following new paragraph immediately after paragraph (c)—

(ca) in Part II, by inserting the words “Insurance agency, insurance brokerage, securities brokerage services and” immediately before the word “tea” in paragraph 10.

(Amendment is subject to Article 114 of the Constitution Standing Order 133(5))

NEW CLAUSES

THAT, the Bill be amended by inserting the following new clauses immediately before clause 15-

Amendment of section 12 of
No. 29 of 2015.

14A. Section 12 of the Tax Procedures Act, 2015 is amended by inserting the following sub-section immediately after subsection (5A)-

(5B) Without prejudice to sub-section (5A), the following person may be exempt from the requirement for a PIN—

- (a) persons who are exempt from tax in Kenya;
- (b) non- resident persons whose entire income is taxed under the withholding tax regime;
- (c) non-resident persons opening bank accounts for purposes of transacting marketable securities listed in the Nairobi Securities Exchange.

Amendment of section 37 C
of No. 29 of 2015.

14B. Section 37C of the Tax Procedures Act, 2015 is amended by deleting sub-section (1) and substituting therefor the following new subsection—

(1) Notwithstanding any other provision of this Act, the Commissioner shall refrain from assessing or recovering taxes, penalties or interest for a company that lists on the growth segment of the securities exchange in Kenya, in respect of any year of income prior to the date of listing.

(Amendment is subject to Article 114 of the Constitution Standing Order 133(5))

NEW CLAUSE 28A

THAT, the Bill be amended by inserting the following new clause immediately after clause 28–

Amendment
of section
156 of Cap.
487.

28A. Section 156 of the Insurance Act is amended by inserting the following new subsections immediately after sub-section (2)-

(2a) Without prejudice to the provisions of sub-section (2), an intermediary may receive premiums through electronic platforms.

(2b) An intermediary, who receives premiums under sub-section (2a), shall submit the premiums to the Insurer within forty-five days.

(Amendment is subject to Article 114 of the Constitution Standing Order 133(5))

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 37-

Amendment of the
Schedule to Cap. 480

38. The Schedule to the Stamp Duty Act is amended by–

(a) deleting item 22; and

(b) inserting the following item immediately after item 21 in the “General Exemptions” –

22. Marketable Securities.

(Amendment is subject to Article 114 of the Constitution)

...../Notices(cont'd)*

II. MEDIATED VERSION OF THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

A Bill for

AN ACT of Parliament to amend the County Governments Act and for connected purposes.

ENACTED by the Parliament of Kenya, as follows –

Short title.

1. This Act may be cited as the County Governments (Amendment) Act, 2017.

Amendment of section 4 of No. 17 of 2012.

2. Section 4 of the County Governments Act, in this Act referred to as “the principal Act” is amended by deleting subsection (2) and substituting therefor the following new subsection –

(2) The county executive committee member shall –

- (a) develop the symbols of the county through a consultative process;
- (b) submit the symbol to the county assembly for approval; and
- (c) apply to the College of Arms for a grant of arms in accordance with section 4 of the College of Arms Act.

Cap. 98.

Insertion of a new section 7B to No. 17 of 2012.

3. The principal Act is amended by inserting the following new section immediately after section 7A –

Location of sitting of a county assembly.

7B. (1) Whenever a new county assembly is elected, the governor, by notice in the *Gazette* shall appoint –

- (a) the place of sitting within the county as set out in the Third Schedule; and
- (b) the date of the first sitting of the new county assembly, which shall not be more than thirty days from the date on which the county assembly shall be fully constituted as provided for under section 7A.

(2) except for a sitting of a new county assembly under subsection (1), a sitting of a county assembly may be held at any place within the county and may commence at any time as the county assembly may appoint.

Amendment of section 7 of No. 17 of 2012.

4. Section 7 of the principal Act is amended by deleting the expression “27(3)(a)” appearing immediately after the words “under section” in subsection (3) and substituting therefor the expression “26(3)(a)”.

Amendment of section 9 of No. 17 of 2012.

5. Section 9 of the principal Act is amended —

- (a) in subsection (3) by deleting the words “within fourteen days after the announcement of the final results of an election” appearing immediately after the words “the county assembly clerk” and substituting therefor the words “on the first sitting of the county assembly”;
- (b) deleting subsection (4); and
- (c) deleting subsection (5).

Insertion of a new section 9A to No. 17 of 2012.

6. The principal Act is amended by inserting the following new sections immediately after section 9 —

Speaker and deputy speaker.

9A. (1) The speaker of a county assembly shall be elected, in accordance with standing orders of the respective county assemblies, from among persons who are eligible to be elected as members of a county assembly but are not such members.

(2) There shall be a deputy speaker for each county assembly who shall be elected by the county assembly, in accordance with standing orders of the respective county assemblies, from among the members of that county assembly.

(3) In the absence of the speaker, the deputy speaker shall preside at the sitting of the county assembly.

(4) In the absence of the speaker and deputy speaker, members of the county assembly shall elect, from among themselves, a person to preside at the sitting of the county assembly.

Amendment to section 11 of No. 17 of 2012.

7. The principal Act is amended by deleting section 11 and substituting therefor the following new sections —

Vacation of office of speaker.

11. (1) The office of speaker shall become vacant—

- (a) when a new county assembly first meets after an election;
- (b) if the office holder is disqualified from being elected as a member of a county assembly on grounds specified under Article 193(2) of the Constitution;
- (c) if the county assembly so resolves by a resolution supported by at least two-thirds of all the members of the county assembly;
- (d) if the office holder resigns from office in a letter addressed to the county assembly; or
- (e) if the office holder dies.

(2) The speaker may be removed pursuant to subsection (1)(c) on any of the following grounds —

- (a) gross violation of the Constitution or any other law;
- (b) incompetence;
- (c) gross misconduct;

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- (d) if convicted of an offence punishable by imprisonment for at least six months; or
 - (e) inability to perform the functions of the office of speaker arising from mental or physical incapacity.
- (3) A notice of the intention to move a motion for a resolution to remove the speaker under subsection (1)(c) shall —
- (a) be given in writing to the clerk of the county assembly;
 - (b) be signed by at least one third of all the members of the county assembly; and
 - (c) state the grounds for removal as specified in subsection (2).
- (4) A motion for the removal of the speaker shall specify —
- (a) the grounds for removal as specified in subsection (2) in which the speaker is in breach; and
 - (b) the facts constituting those grounds.
- (5) Upon notice of the motion being given under subsection (2)–
- (a) the clerk of the county assembly shall within five days —
 - (b) notify the speaker; and
 - (c) invite the speaker to respond, within seven days, in writing setting out the grounds of opposition;
- (6) the speaker shall not perform any of the functions of the office of the speaker pending the resolution of the county assembly.
- (7) The speaker shall have the right to appear and be represented before the county assembly during its investigations.
- (8) The county assembly shall consider the motion within fourteen days and resolve whether to approve the motion.

Vacation of office of deputy speaker. —

11A. (1) The office of a deputy speaker shall become vacant if

- (a) the office holder vacates office pursuant to Article 194 of the Constitution; or
- (b) the county assembly so resolves by a resolution supported by at least two-thirds of all the members of the county assembly.

(2) Section 11(2) to (8) shall, with necessary modifications, apply to the removal of a deputy speaker under subsection (1)(b).

Amendment to section 25 of No. 17 of 2012.

8. The principal Act is amended in section 25 by deleting subsection (2) and substituting therefor the following new subsection —

(2) Subject to subsection (3), the county assembly legislation shall come into force on the fourteenth day after its publication in the *Kenya Gazette* unless the legislation stipulates a different date on, or time at which, it shall come into force.

Amendment to section 27 of No. 17 of 2012.

- 9. Section 27 of the principal Act is amended by —
 - (a) deleting subsection (2) and substituting therefor the following new subsection —
 - (2) A member of a county assembly may be recalled on any of the following grounds—
 - (a) gross violation of the Constitution or any other law;
 - (b) incompetence;
 - (c) gross misconduct; or
 - (d) if convicted of an offence punishable by imprisonment for at least six months.
 - (b) deleting subsection (3); and
 - (c) deleting subsection (6)

Amendment to section 28 of No. 17 of 2012.

- 10. Section 28 of the principal Act is amended —
 - (a) in subsection (1) by —
 - (i) deleting paragraph (b) and substituting therefor the following new paragraph —
 - (b) signed by a petitioner who is a voter in the Ward in respect of which the recall is sought.
 - (ii) deleting paragraph (c); and
 - (b) in subsection (3) by deleting the words “voter card number” appearing immediately after the words “the names, address”.

Amendment to section 31 of No. 17 of 2012.

- 11. Section 31 of the principal Act is amended—
 - (a) by deleting paragraph (a) and substituting therefor the following new paragraph —
 - (a) may dismiss a county executive committee member.
 - (b) inserting the following new paragraph immediately after paragraph (b) —
 - (ba) may re-assign a county executive committee member.

Insertion of new sections 32A, 32B, 32C and 32D to No. 17 of 2012.

12. The principal Act is amended by inserting the following new sections immediately after section 32 —

Inability of governor or deputy governor to assume office.

- 32A. (1) If a governor-elect dies after being declared elected as governor, but before assuming office, or is unable to assume office for whatever reason—
 - (a) the deputy governor-elect shall be sworn in as acting governor on the date on which the governor elect would otherwise have been sworn-in; and
 - (b) a fresh election to the office of governor shall be held within sixty days after the death of the governor-elect.

(2) If the deputy governor-elect dies before assuming office or is unable to assume office for whatever reason, the office of the deputy governor shall be declared vacant on the assumption of office by the person declared elected as the governor.

Assumpti
on to
office of
governor
by the
deputy
governor

32B. Whenever the office of governor becomes vacant under Article 182(1) of the Constitution, a person who assumes the office of governor under Article 182(2) of the Constitution shall —

- (a) within a period of fourteen days, from the date the office of governor became vacant, take and subscribe to the oath or affirmation asset out in the First Schedule to this Act before assuming office; and
- (b) take and subscribe to the oath or affirmation, in public, before a High Court Judge.

Vacancy
in the
office of
deputy
governor

32C. (1) The office of deputy governor shall become vacant if the holder of the office —

- (a) dies;
- (b) resigns by a notice, in writing, addressed to the governor;
- (c) ceases to be eligible for nomination as deputy governor under Article 180(5) of the Constitution;
- (d) assumes the office of governor under Article 182(2) of the Constitution;
- (e) is convicted of an offence punishable by imprisonment for at least six months; or
- (f) is removed from office under this Act.

Filling of
a vacancy
in the
office of
deputy
governor

32D. (1) Where a vacancy arises in the office of a deputy governor as provided for under section 32C, the governor shall —

- (a) within fourteen days, nominate the deputy governor; and
 - (b) with the approval of the county assembly, appoint a deputy governor.
- (2) A person nominated for appointment as deputy governor under subsection (1) shall be a person eligible for election as governor.
- (3) The county assembly shall —
- (a) consider a motion for approval for the appointment of the deputy governor, within fourteen days, and resolve whether to approve the motion; and
 - (b) be deemed to have approved the motion for the appointment of the deputy governor upon the lapse of fourteen days and having failed to make a resolution.

(4) A motion for the approval for appointment of a deputy governor shall be supported by a majority of the members of a county assembly.

(6) A person appointed as deputy governor under subsection (1) shall, for purposes of Article 180(7) of the Constitution, be deemed —

(a) to have served a full term as county deputy governor if, at the date on which the person is appointed, more than two and a half years remain before the date of the next regularly scheduled election under Article 180(1) of the Constitution; or

(b) not to have served a term of office as county deputy governor, in any other case.

Amendment to
section 33 of
No. 17 of 2012.

13. Section 33 of the principal Act is amended —

(a) in subsection (7) by deleting the word “members” appearing immediately after the words “of all the” and substituting therefor the words “county delegations”.

(b) by inserting the following new subsection immediately after subsection (9) —

(9A) Subsections (1) to (9) shall, with necessary modifications, apply to the removal from office of a deputy governor.

Amendment to
section 40 of
No. 17 of 2012.

14. Section 40 of the principal Act is amended by —

(a) deleting subsection (1);

(b) deleting subsection (2) and substituting therefor the following new subsection —

(2) A member of the county assembly, supported by at least one-third of all the members of the county assembly, may propose a motion requiring the governor to dismiss a county executive committee member on any of the following grounds —

(a) gross violation of the Constitution or any other law;

(b) incompetence;

(c) abuse of office;

(d) gross misconduct; or

(e) if convicted of an offence punishable by imprisonment for at least six months.

Amendment to
section 44 of
No. 17 of 2012.

15. Section 44 the principal Act is amended by —

(a) deleting subsection (2) and substituting therefor —

(2) A person shall be qualified for appointment as a county secretary under subsection (1), if that person —

- (a) is a citizen of Kenya;
- (b) holds a degree from a university recognized in Kenya;
- (c) has at least ten years relevant professional experience;
- (d) has at least five years' experience in a leadership position at senior management level in a public service or private sector organization; and
- (e) meets the requirements of leadership and integrity as prescribed in Chapter Six of the Constitution.

(b) inserting the following new subsections immediately after subsection (2) —

(2A) The Governor shall, for the purpose of competitive recruitment of a county secretary under subsection (2), constitute a selection panel.

(2B) The selection panel shall consist of the following persons —

- (a) a chairperson, not being a public officer;
- (b) one person from the private sector;
- (c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;
- (d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and
- (e) one person from an association representing workers.

(2C) The provisions of section 58A shall, with such modification as shall be necessary apply to the recruitment of a county secretary.

(2D) Upon interviewing the applicants for the position of county secretary —

- (a) the selection panel shall submit to the governor the names of two applicants who qualify for appointment as county secretary; and
- (b) the governor shall submit the name of one applicant to the county assembly for approval for appointment as county secretary by the governor.

(2E) The county secretary shall hold office for a term of five years and shall be eligible for reappointment once.

(2F) The county secretary shall be an *ex officio* member of the County Executive Committee with no voting rights.

(c) inserting the following new subsection immediately after subsection (3) –

(3A) The county secretary may be removed from office on the following grounds —

- (a) inability to perform functions of the office arising out of physical or mental infirmity;
- (b) incompetence;
- (c) gross misconduct;
- (d) bankruptcy; or
- (e) violation of the Constitution.

(3B) Before removal under subsection (3A), the county secretary shall be informed, in writing, of the reasons for the intended removal.

(3C) Subject to section (3A), (3B) and conditions of appointment, a county secretary may be removed from office by the governor.

Amendment to
section 45 of
No. 17 of 2012.

16. Section 45 of the principal Act is amended —

(a) in subsection (1) by deleting the introductory clause and substituting therefor the following new clause-

Whenever a vacancy arises in the office of a county chief officer, the respective governor shall within fourteen days –

(b) by deleting subsection (6) and substituting therefor the following subsection -

(6) The office of the county chief officer shall become vacant if the officer –

- (a) dies;
- (b) resigns by notice in writing addressed to the governor; or
- (c) is removed from office in accordance with the terms of service or any other written law applicable to the officer.

Amendment to section 58 of No. 17 of 2012.

17. Section 58 of the principal Act is amended –

- (a) in subsection (1) by –
 - (i) deleting paragraph (a) and substituting therefor the following new paragraph –
 - (a) a chairperson appointed in accordance with section 58A;
 - (ii) deleting paragraph (b) and substituting therefor the following new paragraph –
 - (b) at least three but not more than five members appointed in accordance with section 58A;
- (b) by deleting subsection (2); and
- (c) in subsection (3) by inserting the following new paragraphs immediately after paragraph (b) –
 - (ba) has not, at any time within the preceding five years, held office, or stood for election as –
 - (i) a member of Parliament or of a county assembly; or
 - (ii) a member of the governing body of a political party;
 - (bb) is, or as at any time been, a candidate for election as a member of Parliament or of a county assembly;
 - (bc) is, or has at any time been, the holder of an office in any political organisation that sponsors or otherwise supports, or has at any time sponsored or otherwise supported, a candidate for election as a member of Parliament or of a county assembly.

Insertion of a new section 58A to No. 17 of 2012.

18. The principal Act is amended by inserting the following new section immediately after section 58 –

Procedure for nomination and appointment of members of the Board.

58A. (1) Whenever a vacancy arises in a county public service board, the governor shall nominate and, with the approval of the county assembly, appoint members to a selection panel for the purpose of selecting suitable candidates for appointment as members of the county public service board.

(2) The selection panel under subsection (1) shall consist of the following persons -

- (a) a chairperson, not being a public officer;
- (b) one person from the private sector;
- (c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;
- (d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and
- (e) one person from an association representing workers.

(3) The governor shall, in nominating members to the selection panel, ensure that not more than two-thirds of the nominees are of the same gender.

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(4) The chairperson shall convene the first meeting of the selection panel within five days of his or her appointment.

(5) The selection panel shall, within seven days of convening, invite applications from persons who qualify for nomination and appointment as chairperson or member of the county public service board by advertisement in at least two daily newspapers of national circulation.

(6) The selection panel shall within seven days of receipt of applications under subsection (5)-

- (a) consider the applications to determine their compliance with the provisions of the Constitution and this Act;
- (b) shortlist the applicants;
- (c) interview the shortlisted applicants; and
- (d) submit the names of three qualified applicants for the position of chairperson, six qualified applicants for the position of a member and two qualified applicants for the position secretary to the Governor.

(7) The Governor shall, within seven days of receipt of the names forwarded under subsection (6), nominate one person, and at least three but not more than five others for appointment as chairperson and members of the county public service board, respectively, and forward the names to the county assembly for approval.

(8) The county assembly shall, within twenty one days of receipt of the names of the nominees from the Governor, consider each nomination received under subsection (7) and approve or reject any of them.

(9) Where the county assembly approves the nominees, the Speaker of the county assembly shall, within five days, forward the names of the approved applicants to the Governor for appointment.

(10) Where the county assembly rejects any nominee, the Speaker shall within five days communicate the decision of the county assembly to the Governor and request the Governor to submit fresh nominations from amongst the persons shortlisted and forwarded by the selection panel under subsection (6).

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(11) If the county assembly rejects any or all of the subsequent nominees submitted by the Governor for approval under subsection (9), the provisions of subsections (6) and (7) shall apply.

(12) The selection panel shall stand dissolved upon the appointment of the chairperson and members under subsection (9).

(13) Where the provisions of subsection (10) apply, the selection panel shall continue to exist but shall stand dissolved upon the requisite appointments being made.

(14) The department responsible for public service shall provide secretariat services to the selection panel.

(15) In nominating or appointing a person as a member of the Board, the selection panel and the Governor shall—

(a) observe the principle of gender equity, ethnic and other diversities of the people of Kenya, and shall ensure equality of opportunity for persons with disabilities; and

(b) take into account the national values and principles set out in Articles 10, 27 and 232 of the Constitution.

(16) Despite the foregoing provisions of this section, the Governor may extend the period specified in respect of any matter under this section by a period not exceeding fourteen days.

(17) Subject to this section, the selection panel may determine its own procedure.

Insertion of new section 59A to No. 17 of 2012

19. The principal Act is amended by inserting the following new section immediately after section 59 –

Independence of the county public service board.

59A. In the performance of its functions under this Act, the county public service board shall –

(a) be independent and shall not be subject to the direction or control of any other person or authority; and

(b) adhere to the Constitution, this Act and any other relevant law.

Amendment to section 63 of No. 17 of 2012.

20. Section 63 of the principal Act is amended by deleting paragraph (b) of subsection (2).

Amendment to section 65 of No. 17 of 2012.

21. Section 65 of the principal Act is amended in subsection (1) by inserting the following new paragraph immediately after paragraph (c) –

(ca) the need to ensure that the candidates proposed for appointment have knowledge and experience in diverse fields including human resource management and development and finance.

Insertion of new sections 68A, 68B, 68C, 68D and 68E to No. 17 of 2012.

22. The principal Act is amended by inserting the following new sections immediately after section 68 —

Promotion of equity by the county public service boards.

68A. (1) Each county public service board shall promote equal opportunity in the county public service and shall establish and implement strategies for the elimination of any form of discrimination on the basis of ethnicity, gender, religion, health, marital status or disability.

(2) It shall not be unfair discrimination to —

- (a) implement affirmative action measures consistent with the purpose of this Act; and
- (b) distinguish, exclude or prefer any person on the basis of an inherent requirement of a particular office in the county public service.

(3) In implementing the provisions of subsection (1), the county public service board shall —

- (a) take measures to ensure that diversity is maintained in the county public service;
- (b) implement strategies that result in the granting of a fair opportunity to all persons applying to serve in the county public service and the elimination of ethnicity within the county public service;
- (c) identify and eliminate employment barriers against persons who do not belong to the dominant ethnic group within the county or marginalized persons that result from systems of employment, policies or practices which are not authorized by law; and
- (d) afford an equal opportunity to all persons, including marginalized groups in the county, in the appointment process to an office in the county public service.

(4) In meeting the requirements under subsection (1), the county public service board shall not —

- (a) take measures whose implementation would cause undue hardship on the county public service board;
- (b) appoint or promote persons who do not meet the qualifications or requirements of an office;
- (c) deviate from the provisions of Article 232 of the Constitution; or
- (d) create new offices or positions in the county public service.

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Collection
and
analysis of
informatio
n on
county
public
service.

68B. (1) Each county public service board shall, for the purpose of implementing the provisions of section 68A–

- (a) collect information and conduct an analysis of the county public service in order to determine the degree of the underrepresentation of persons in marginalized groups in each occupational group in the respective county public service; and
- (b) conduct a review of the county public service systems, policies and practices, in order to identify employment barriers against persons from minority or marginalized groups that result from those systems, policies and practices.

County
public
service
employe
nt equity
plan.

68C. (1) Each county public service shall, for the purpose of eliminating ethnic imbalance and implementing the provisions of section 65(1)(e), prepare and implement a public service employment equity plan.

(2) In preparing an employment equity plan, the county public service shall –

- (a) set out the positive policies and practices which shall be instituted in the short term for the hiring and retention of underrepresented persons or persons belonging to marginalized groups;
- (b) outline the strategies through which the county public service board shall ensure that at least thirty percent of the offices in the county public service consists of persons who are not from the dominant ethnic community within the county where this has not been achieved;
- (c) set out the affirmative action measures required to be implemented and the anticipated outcome of such measures;
- (d) set out the framework for monitoring and evaluating the implementation of the equity plan;
- (e) set out the long term goal for increasing representation of underrepresented persons or marginalized groups in the county public service and the employment strategies for achieving such goals; and
- (f) set out such other information as the county public service board shall consider necessary.

(3) The county public service board shall consult with the Governor, the Public Service Commission and such other stakeholders as the board shall consider appropriate.

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(4) The county public service board shall ensure that the public service employment equity plan would, shall ensure the realization of the provisions of section 65(1)(e) and that employment equity within the county public service is achieved.

Review of county public service employment equity plan.

68D. (1) Each county public service board shall, at least once during the period in respect of which the short term goals referred to in section 68C(2) are established, review its employment equity plan and revise it by –

- (a) updating the short term goals, taking into account the factors set out in section 68C; and
- (b) make any other changes that are necessary as a result of an assessment made pursuant to section 68B or as a result of changing circumstances.

(2) Every county public service board shall establish and maintain county public service employment equity records in respect of the county public service and the implementation of employment equity by the board.

Report of the county public service board.

68E. A county public service board shall include in a report a description of -

- (a) the measures taken by the board during the reporting period to implement employment equity and the results achieved; and
- (b) the consultations between the board, the Public Service Commission and such other stakeholders as the board may consider necessary during the reporting period concerning the implementation of employment equity.

Amendment to section 121 of No. 17 of 2012.

23. Section 121 of the principal Act is amended in subsection (2) (j) by deleting the words “with the approval of the secretary” appearing at the beginning of the subsection and substituting therefor the words “in consultation with the county executive committee”.

Amendment to section 124 of No. 17 of 2012.

24. Section 124 of the principal Act is amended in subsection (2) by inserting the words “the deputy speaker” immediately after the words “the speaker”.

Transition provisions.

25. A person who, immediately before the commencement of this Act was serving as deputy speaker, a member of the county public service board or as a county secretary immediately before the coming into force of this Act shall –

- (a) not cease to hold office only on account of the coming into force of this Act; and

- (b) continue to serve in office for the remainder of the term and in the case of the county secretary, in accordance with the terms and conditions of appointment.

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III. MEDIATED VERSION OF THE COUNTY GOVERNMENTS (AMENDMENT)(No. 2) BILL (SENATE BILL NO. 7 OF 2017)

A Bill for

AN ACT of Parliament to amend the County Governments Act to provide for the procedure for the disposal of a report of a Commission of Inquiry established under Article 192(2) of the Constitution and to provide for the termination of a suspension of a county government under Article 192(4) of the Constitution; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows –

Short title.

1. This Act may be cited as the County Governments (Amendment) (No. 2) Act, 2017.

Amendment of section 123 of No. 17 of 2012.

2. The County Governments Act, in this Act referred to as the “principal Act”, is amended in section 123 by deleting subsections (7), (8), (9) and (10) and substituting therefor the following new subsections—

(7) The Commission shall inquire into the matters before it within three months of its appointment and report on the facts and submit its recommendations to the President.

(8) Where the Commission does not recommend the suspension of a county government, the President shall, within fourteen days of receipt of the report of the Commission under subsection (7), submit to the Speaker of the Senate and the apex intergovernmental body —

- (a) the report and the recommendations of the Commission; and
(b) the petition for suspension of the county government.

(9) Where the Commission recommends the suspension of the county government, the President shall, within fourteen days of receipt of the report of the Commission under subsection (7), submit to the Speaker of the Senate —

- (a) a memorandum stating that the President is satisfied that justifiable grounds exist for suspension of the county government;
- (b) the report and the recommendations of the Commission; and

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- (c) the petition for suspension of the county government.

(9a) Where the Commission recommends the suspension of the county government, the President shall, within fourteen days of receipt of the report of the Commission under subsection (7), submit to the Speaker of the Senate —

- (a) a memorandum stating that the President is not satisfied that justifiable grounds exist for suspension of the county government;
- (b) the report and the recommendations of the Commission; and
- (c) the petition for suspension of the county government.

(10) Where the President, in the memorandum submitted under subsection (9)(a), is satisfied that justifiable grounds exist for the suspension of a county government, the Speaker of the Senate shall refer the documents received under subsection (9) to the relevant committee of the Senate for consideration.

(11) The committee shall, within fourteen days of receipt of the documents under subsection (10), consider the documents and make its recommendations to the Senate on whether or not the Senate should authorise the suspension of the county government.

(12) An authorisation by the Senate under subsection (11) shall be by a resolution adopted in accordance with the provisions of Articles 122 and 123 of the Constitution.

(13) Upon authorisation of the suspension of a county government by the Senate in terms of Article 192(2) of the Constitution, the President shall, within fourteen days of receipt of the Senate resolution and by notice in the *Gazette*, suspend the county government for a period not exceeding ninety days, or until the suspension is terminated earlier by the Senate in accordance with Article 192(4) of the Constitution.

129. (1) Pursuant to Article 192(4) of the Constitution, the Senate may at any time terminate the suspension of a county government.

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(2) A member of the Senate may move a motion for the termination of a suspension under subsection (1).

(3) Where a member gives notice of a motion under subsection (2), the Speaker of the Senate shall refer the proposed motion to the relevant select committee of the Senate to consider the proposed termination of the suspension of the county government and to make recommendations as to whether or not the Senate should terminate the suspension of the county government.

(4) The committee under subsection (3) shall report to the Senate within ten days of referral of the proposed motion to the committee.

(5) In considering the proposed termination under subsection (3), the committee shall invite representations from the members of public, the Interim County Management Board and any other relevant person.

(6) A motion under subsection (2) shall be moved upon the tabling of the report of the committee under subsection (4).

(7) If the motion is supported by a majority of all the county delegations of the Senate, the suspension of the county government shall stand terminated.

(8) Upon the termination of a suspension of the county government —

(a) the Interim County Management Board appointed under section 126 shall stand dissolved; and

(b) the governor, the deputy governor, and the members of the county executive committee, the speaker and the members of the county assembly shall resume their functions and continue to receive their benefits in full from the date of termination of the suspension and shall hold office for the remainder of their term.

(No.037)

TUESDAY, JUNE 23, 2020

(682)

The House further resolved on Tuesday, June 2, 2020as follows-

- IV. THAT**, pursuant to the provisions of Standing Order 97(1) and notwithstanding the resolution of the House of February 18, 2020, during the Sittings of the House from June 4, 2020 to July 2, 2020, each speech in **debate** on **Bills, Motions** (*including Special Motions*), **Sessional Papers** and **Committee Reports**, shall be limited as follows:- a maximum of **two hours** with not more than ten (10) minutes for the Mover in moving and five (5) minutes in replying and a maximum of five (5) minutes for any other Member speaking, except for the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Committee who shall be limited to a maximum of ten (10) minutes, and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and Chairperson of the relevant Committee, in that order, and that the resolution **shall not** apply to the Second Reading of the Finance Bill, 2020, debate on the Budget Estimates and the Committee of Supply for the Financial Year 2020/2021.
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NOTICE PAPER I

Tentative business for **Tuesday (Afternoon), June 23, 2020**

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following *tentative* business to appear in the Order Paper for Tuesday (Afternoon), June 23, 2020-

A. PROCEDURAL MOTION- REDUCTION OF PUBLICATION PERIOD OF A BILL

(The Leader of the Majority Party)

B. THE APPROPRIATIONS BILL, 2020

(The Vice Chairperson, Budget & Appropriations Committee)

First Reading

C. THE REFUGEES BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2019)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, June 23, 2020- Morning Sitting)

D. THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO. 17 OF 2018)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(Resumption of debate interrupted on Tuesday, March 17, 2020)

(If not concluded on Tuesday, June 23, 2020- Morning Sitting)

E. THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 27 OF 2018)

(Member, Departmental Committee on Justice & Legal Affairs)

Second Reading

(If not concluded on Tuesday, June 23, 2020- Morning Sitting)

F. THE COUNTY LAW COMPLIANCE AND ENFORCEMENT BILL
(SENATE BILL NO.25 OF 2018)

(Member, Departmental Committee on Justice & Legal Affairs)

Second Reading

(If not concluded on Tuesday, June 23, 2020- Morning Sitting)

G. SPECIAL MOTION –APPOINTMENT OF A MEMBER TO THE
PARLIAMENTARY SERVICE COMMISSION

(The Vice-Chairperson, Parliamentary Service
Commission)

(If not concluded on Tuesday, June 23, 2020- Morning Sitting)

NOTICE PAPER II

Tentative business for **Thursday, June 25, 2020**

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee has approved the following ***tentative*** business to appear in the Order Paper for Thursday, June 25, 2020-

A. THE APPROPRIATIONS BILL, 2020

(The Vice Chairperson, Budget & Appropriations Committee)

Second Reading

B. COMMITTEE OF THE WHOLE HOUSE

(i) The Appropriations Bill, 2020)

(The Vice Chairperson, Budget & Appropriations Committee)

(ii) The Tea Bill (Senate Bill No. 36 of 2018)

(The Vice Chairperson, Departmental Committee on Agriculture & Livestock)

(iii) The Gaming Bill (National Assembly Bill No. 38 of 2019)

(The Vice Chairperson, Departmental Committee on Sports, Culture & Tourism)

C. THE REFUGEES BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2019)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, June 23, 2020 – Afternoon Sitting)

D. THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO. 17 OF 2018)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(Resumption of debate interrupted on Tuesday, March 17, 2020)

(If not concluded on Tuesday, June 23, 2020 – Afternoon Sitting)

E. THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILL NO. 27 OF 2018)

(Member, Departmental Committee on Justice & Legal Affairs)

Second Reading
(If not concluded on Tuesday, June 23, 2020 – Afternoon Sitting)

**F. THE COUNTY LAW COMPLIANCE AND ENFORCEMENT BILL
(SENATE BILL NO.25 OF 2018)**

(Member, Departmental Committee on Justice & Legal Affairs)

Second Reading
(If not concluded on Tuesday, June 23, 2020 – Afternoon Sitting)

**G. SPECIAL MOTION – APPOINTMENT OF A MEMBER TO THE
PARLIAMENTARY SERVICE COMMISSION**

(The Vice-Chairperson, Parliamentary Service
Commission)

(If not concluded on Tuesday, June 23, 2020 – Afternoon Sitting)

A P P E N D I X

ORDER NO.7 - QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

Question No. QUESTIONS BY PRIVATE NOTICE

007/2020 **The Member for Trans Nzoia County (Hon. Janet Nangabo Wanyama, MP) to ask the Cabinet Secretary for Health: -**
Question by
Private
Notice

- (a) What measures has the Ministry put in place to ensure that families residing in informal settlements and rural areas adversely affected during the COVID-19 pandemic period due to either inaccessibility or long distance to health-care facilities access health care?
- (b) What measures has the Ministry put in place to address the unequal distribution of resources realised from the COVID-19 Emergency Response Fund to citizens residing in the informal settlements and rural areas?
- (c) What steps has Ministry taken to guarantee health and safety of persons travelling between the cities and the rural areas by public transport during the COVID-19 pandemic period to curb community infections?

(To be replied before the Departmental Committee on Health)

ORDINARY QUESTIONS

069/2020 **The Member for Nakuru Town East (Hon. David Gikaria, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -**

- (a) Why is the construction of the Southern By-pass road that is expected to pass near Lake Nakuru National Park in Nakuru County yet to commence?
- (b) Could the Cabinet Secretary provide contract details of the project including, the names of the contractor, the tender amount and the total amount of money budgeted for the project?
- (c) When is the project expected to commence?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

070/2020

The Member for Gatundu North (Hon. Annie Wanjiku Kibeh, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -

- (a) What is the status of the construction of *Gatukuyu – Kairi – Matara road* in Gatundu North Constituency?
- (b) Could the Cabinet Secretary give the names of the firm(s)/ or individuals awarded the contract for the construction of the road, the amount of money paid to date and how much is outstanding considering that only one third of the 30 kilometers has been constructed, yet the project is behind schedule as it was expected to be completed in June 2019?
- (c) Could the Cabinet Secretary confirm that the project is being implemented as per the required standards considering that the 10kms stretch constructed so far is now in a deplorable state?
- (d) What measures is the Ministry putting in place to ensure that the construction of the said road is completed?
- (e) Could the Cabinet Secretary consider cancelling the contract, the seeking the blacklisting the contractors, and awarding the contract afresh to contractors who will adhere to the required construction standards and timelines?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

071/2020

The Member for Kabete (Hon. James Kamau Wamacukuru, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government:-

- (a) Are there plans to provide communication allowances to *Nyumba Kumi* officials and administrators considering that they are currently forced to use their own resources to transmit crucial information to relevant authorities regarding their communities?
- (b) Given the risky nature of the *Nyumba Kumi* strategy of anchoring community policing at various levels in the community, what measures are in place to safeguard the security of these officials and administrators; including providing other necessary incentives?

(To be replied before the Departmental Committee on Administration and National Security)

072/2020

The Member for Tharaka (Hon. George Gitonga Murugara, MP) to ask the Cabinet for Education:-

- (a) Could the Cabinet Secretary explain why five Deputy Principals, Teachers Service Commission (TSC) Nos. 414517, 462538, 463028, 492980 and 398138 in Job Group “L” duly appointed and deployed by the TSC and who were awaiting to be put under the 2017 Collective Bargaining Agreement (CBA) for upgrading by the Commission, have had their positions withdrawn and assigned to other officers?
- (b) What steps is the Ministry taking to ensure that Tharaka Constituency is categorized and affirmed as an Arid and Semi-Arid Land (ASAL) area for the above five Deputy Principals to qualify for the upgrade?
- (c) When will the said teachers be upgraded to the positions of Deputy Principal?

(To be replied before the Departmental Committee on Education and Research)

079/2020

The Member for Mwatate (Hon. Andrew Mwadime, MP) to ask the Cabinet for Transport, Infrastructure, Housing, Urban Development and Public Works: -

Are there any plans to commence the construction of the Standard Gauge Railway line linking *Voi, Mwatate and Taveta* in Taita Taveta County?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)
